

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

In re:

Chapter 13

Ernest Lee Harris, II and Tina Suzanne Harris

Case No. 14-49367

Debtor(s). /

Judge: Hon. Walter Shapero

ORDER CONFIRMING PLAN

The Debtor's Chapter 13 plan was duly served on all parties in interest. A hearing on confirmation of the plan was held after due notice to parties in interest. Objections, if any, have been resolved. The Court hereby finds that each of the requirements for confirmation of a Chapter 13 plan pursuant to 11 U.S.C. §1325(a) are met.

Therefore, IT IS HEREBY ORDERED that the Debtor's Chapter 13 plan, as last modified, if at all, is confirmed.

IT IS FURTHER ORDERED that the claim of attorney for the Debtor(s), for the allowance of compensation and reimbursement of Expenses are allowed in the total amount of \$3,500.00 in fees and \$0.00 in expenses, and that the portion of such claim which has not already been paid, to-wit: \$3,000.00 shall be paid by the Trustee as an administrative expense of this case.

IT IS FURTHER ORDERED that the Debtor shall maintain all policies of insurance on all property of the Debtor and this estate as required by law and contract.

All filed claims to which an objection has not been filed are deemed allowed pursuant to 11 U.S.C. §502(a), and the Trustee is therefore ORDERED to make distributions on these claims pursuant to the terms of the Chapter 13 plan, as well as all fees due the Clerk pursuant to statute.

IT IS FURTHER ORDERED as follows: [*Only provisions checked below apply*]

- [] The Debtor(s) shall remit % of all tax refunds received or entitled to after commencement of the case, and shall not alter any withholding deductions/exemptions without Court approval.
- [] The Debtor(s)' Plan shall continue for no less than months.
- [] Class 8 unsecured creditors shall be paid a minimum dividend of \$0
- [] Trustee reserves the right to object to any budgetary expenses if the plan is amended to provide less than 100% to unsecured creditors.
- [] In the event that debtor(s) fails(s) to make any future Chapter 13 plan payment, the Trustee may submit a notice of Default, served upon debtor and debtor's counsel and permitting 30 days from the service of the notice in which to cure any and all defaults in payments. If debtor(s) fails to cure the defaults in payments after having been provided with notice under the provisions of this order, then the Trustee may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make plan payments, and the proceedings may be thereafter dismissed without a further hearing, or notice.
- [X] The adversary case no. 14-04844 has been granted pursuant to the Consent Judgment entered on October 14, 2014 docket #11. The claim of Caliber Home Loans, Inc., as servicing agent for The Bank of New York Mellon, as Trustee for CIT Mortgage Loan Trust 2007-1, by Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc. (pacer claim #8) shall be treated as a Class 9 general unsecured claim and all other terms of the order are incorporated herein.
- [X] The Wayne County Treasurer shall have a class 5.2 secured claim in the amount of \$404.91 to be paid at 12% interest for the 2013 taxes due and owing on the property located at 1280 13th, Wyandotte, Michigan. The Wayne County Treasurer shall retain its lien until paid in full.
- [X] Debtors' plan payment shall be \$769.54 bi-weekly effective December 4, 2014 and shall increase to \$836.97 bi-weekly effective April 1, 2017, when the Debtor's car payment to Alliance Catholic Credit Union is paid off and shall increase to \$992.61 bi-weekly beginning October 1, 2017 when Debtor's car payment to JP Morgan Chase Bank is paid off.

[X] Debtor shall continue to pay Alliance Catholic Credit Union directly with the express consent of Alliance Catholic Credit Union. The Trustee shall not pay on any arrearage portion of this claim.

[X] The Claim of Alliance Catholic Credit Union (PACER Claim #2) is secured by Debtor's 2003 Ford F-150 which Debtor mistakenly listed as a 2001 Ford F-150 in the Chapter 13 Plan.

[X] Creditor The Bank of New York Mellon, as Trustee for CIT Mortgage Loan Trust 2007-1, by Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc. shall have a Class 4.1 Claim with monthly payments of \$1,003.43 to be paid via the Trustee.

[X] Creditor The Bank of New York Mellon, as Trustee for CIT Mortgage Loan Trust 2007-1, by Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc. shall have a Class 4.2 Claim of \$1,059.18 at 0.00% interest and monthly payments of \$357.17 to be paid via the Trustee.

[X] Debtor shall continue to pay the obligation to JP Morgan Chase Bank directly regarding the 2008 Ford Taurus with the express consent of JP Morgan Chase Bank. The Trustee shall not pay on any arrearage portion of this claim.

APPROVED

/s/ Tammy Terry

TAMMY L. TERRY (P46254)
KIMBERLY SHORTER-SIEBERT
(P49608)
MARILYN R. SOMERS-KANTZER
(P52488)
Chapter 13 Trustee
535 Griswold Street
2100 Buhl Building
Detroit, MI 48226
313-967-9857

Objections Withdrawn:

/s/ Christopher Frank

Christopher Frank P67169
The Leduc Group, PLLC
Attorneys for Alliance Catholic
Credit Union
6 Parklane Blvd, Ste 665
Dearborn, MI 48126
(313) 914-5846
Email: cfrank@theleducgroup.com

Objections Withdrawn:

/s/ Michael P. Hogan

Michael P. Hogan P63074
Ryan J. Byrd P75906
Creditor: Wayne County Treasurer
Kilpatrick & Associates, P.C.
903 N. Opdyke Rd., Suite C
Auburn Hills, MI 48326
(248) 377-0700
ecf@kaalaw.com
rkilpatrick@kaalaw.com

Objections Withdrawn:

/s/ Heather D. McGivern

Craig B. Rule, Esq. P67005
Elizabeth M. Abood-Carroll,
Esq. P46304
Heather D. McGivern, Esq.
P59393
Orlans Associates, P.C.
Attorneys for The Bank of
New York Mellon, as Trustee
for CIT Mortgage Loan Trust
2007-1, by Caliber Home
Loans, Inc., f/k/a Vericrest
Financial, Inc., as its attorney
in fact
P.O. Box 5041
Troy, MI 48007
(248) 502-1400
Email: crule@orlans.com

/s/Ryan B. Moran

Ryan B. Moran (P70753)
Attorney for Debtor
Moran Law
25600 Woodward Ave.
Suite 201
Royal Oak, MI 48067
248.246.6536
rmoran@moranlaw.com

Objections Withdrawn:

/s/Susan Jill Rice

Susan Jill Rice P63035
Attorney for JP Morgan Chase
202 E. State Street, Suite 100
Traverse City, Michigan 49684
(231) 346-5405 / Fax: (231) 941
E-mail: jrice@nmichlaw.com

Signed on February 27, 2015

/s/ Walter Shapero
Walter Shapero
United States Bankruptcy Judge